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Attorney for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICK LOVELIEN and STEVEN
STEWART,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,
DANIEL BOGDEN, STEVEN W. MYHRE,
DANIEL SCHIESS, NADIA JANJUA
AHMED, NEIL KORNZE, DAN P. LOVE,
JAMES COMEY, JOEL WILLIS, FORMER
SHERIFF DOUG GILLEPSIE, SHERIFF
JOE LOMBARDO, BUREAU OF LAND
MANAGEMENT, FEDERAL BUREAU OF
INVESTIGATION, CLARK COUNTY
SHERIFF'S DEPARTMENT, and DOES 1-
100, inclusive,

Defendants.

Case No: 2:18-cv-02110-GMN-CWH

**UNOPPOSED MOTION TO EXTEND
TIME TO FILE A RESPONSE
(Second Request)**

The United States of America moves to extend the time to respond to the Complaint. This is the second motion to extend the time to respond to the Complaint. This case was initially filed in the United States District Court for the District of Columbia. On August 28, 2018, the United States moved to transfer the case to this Court. (ECF 9). On October 2, 2018, the D.C. District Court extended the Government's time to respond to the Complaint until 30 days after it ruled on the then-pending motion to transfer. The motion to transfer was granted on October 12, 2018, meaning that for those federal defendants who have been served, a response to the Complaint is presently due on November 12, 2018. (ECF 13). The United States now seeks an additional 30 days, until December 12, 2018, to respond to the Complaint, and states as follows:

1 1. Because the Complaint sues federal employees in their individual capacities, they may
2 be entitled to representation by the Department of Justice pursuant to 28 C.F.R. § 50.15. Until
3 the Department of Justice authorizes undersigned government counsel to represent any of the
4 named federal employees in their individual capacities, he may only act to seek enlargements of
5 time so that their interests and defenses are not compromised. Additional time is necessary to
6 complete the process for those federal employees who have requested representation.

7 2. Undersigned government counsel is new to this case as the United States Attorney's
8 Office for the District of Columbia handled the litigation up to the time of transfer. Additional
9 time is necessary to adequately prepare a response to the Complaint, which contains seven
10 counts against the United States of America, two federal agencies, and several high-ranking
11 federal officials in their individual and official capacities.

12 For these reasons and with just cause shown, the United States requests that this Court
13 extend the deadline to respond to the Complaint for those federal defendants who have been
14 served to December 12, 2018. Counsel for the Plaintiffs does not oppose this motion.

15 Respectfully submitted this 6th day of November 2018.

16 JOSEPH H. HUNT
17 Assistant Attorney General, Civil Division

18 C. SALVATORE D'ALESSIO, JR.
19 Acting Director
Torts Branch, Civil Division

20 RICHARD MONTAGUE
21 Senior Trial Counsel
Torts Branch, Civil Division

22 s/ Siegmund F. Fuchs
23 SIEGMUND F. FUCHS
Trial Attorney
Torts Branch, Civil Division

24 Attorneys for the United States

25
26 DATED: November 8, 2018

27 IT IS SO ORDERED:

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UNITED STATES DISTRICT JUDGE
UNITED STATES MAGISTRATE JUDGE

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I, Siegmund F. Fuchs, certify that the following individual was served with a copy of the

UNOPPOSED MOTION TO EXTEND TIME on the date and by the identified method of

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Dated this 6th day of November 2018.

SIEGMUND F. FUCHS

Trial Attorney